



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

August 25, 2010

Tomothy Kotroco, Director  
Department of Permits & Development Management  
Baltimore County Office of Planning  
111 West Chesapeake Avenue, Suite 105  
Towson, MD 21204

Re: Former Powhatan Mining Company Site

Dear Mr. Kotroco,

I am an On Scene Coordinator with the Region 3 office of the U.S. Environmental Protection Agency (EPA) in Philadelphia and I am contacting you regarding work I am planning to perform at the Former Powhatan Mining Company Site. This work will be conducted under the authority of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) otherwise known as Superfund.

The Powhatan Mining Company Site is located at 6721 Windsor Mill Road in the Woodlawn section of Baltimore County (the address is also noted as 2006 Emmanuel Court). The Site location appears in Map 88, Grid 13, Parcel 269. The Powhatan Mining Company operated an asbestos ore processing facility at the Site from approximately 1920 to 1980. The Site, including the facility, is currently owned by Mr. Fred Hilnbrand. EPA has conducted sampling at the Site and determined that soil at the Site is contaminated with asbestos, and the facility itself is also contaminated throughout with asbestos-containing dust and/or debris.

In March of this year, I met with Mr. John Lewis of your staff to discuss what EPA was proposing regarding the contamination at the Site. I explained that I was formulating two documents that, if and when approved by EPA management, would call for the clean up and demolition of the facility. The documents also propose that an EPA subcontractor construct a garage-like building to replace the section of the former facility that Mr. Hilnbrand currently uses for storage and personal auto repair. The documents are now approved (see attached) and I am currently working with our primary contractor at the Site Monday through Friday each week to soon begin the clean up process. On August 24, a local building contractor visited the Site for a pre-bid briefing on construction of the building.

I know that Mr. Hilnbrand has prepared a letter addressed to you indicating characteristics that he would like to see for the new building. Based on my conversation with Mr. Lewis, it is possible that some of those features (i.e. no breezeway connecting the garage to residence,

approximately 25' garage roof height, car lift) normally would require a variance in a residentially zoned area.

I am specifically corresponding to let you know that EPA is willing to construct the building to meet the wishes described by Mr. Hilnbrand in his letter to you, provided the County finds them acceptable. Assuming you do, because this project is a time-critical Superfund removal action requested of EPA by the Maryland Department of the Environment (see attached), I ask that you consider waiving the form completions for a variance that your office might normally require from a property owner. Completion of the forms and other procedural requirements would need to be addressed by Mr. Hilnbrand, as the property owner. Given this unique situation, if there are actions to be taken that can serve to waive normal variance procedures, please let me know.

I am enclosing some additional materials that will identify approximately where the new building would be located, photos of this area and Mr. Hilnbrand's residence in proximity to the area, and a figure roughly portraying the type of building to be constructed by EPA's subcontractors. As mentioned above, local contractors should be bidding on the construction project in the coming weeks.

After you have reviewed this letter, I am hoping you will agree to a meeting in the very near future between myself and appropriate members of your staff, so that we can coordinate efficiently on this matter. Ideally, we could meet at the Site so I can show your staff the proposed construction area and explain other related plans. As mentioned, I am at the Site most weeks Monday through Friday.

I can be reached at 215-514-6792 or at [Kelly.jack@epa.gov](mailto:Kelly.jack@epa.gov). Additional information on the Site can be found at [www.epaossc.net/powhatan](http://www.epaossc.net/powhatan).

Sincerely,

Jack Kelly

On Scene Coordinator  
Eastern Response Branch  
EPA Region 3

